

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARIO ANDJUAN PEEPLES,

Plaintiff,

v.

ACE AMERICA,

Defendant.

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CIVIL ACTION NO. 09-00689-KD-N

ORDER

After due and proper consideration of all pleadings in this file and there having been no objections filed,¹ the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636 and dated January 6, 2010, is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that this action be and is hereby **DISMISSED** without prejudice for failure to prosecute and to obey the Court's order.

DONE and ORDERED this the **1st** day of **February 2010**.

/s / Kristi K DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE

¹ In so doing, in addition to those reasons set forth in the Magistrate Judge's Report and Recommendation, the Court notes that a copy of the Report and Recommendation was mailed to the Plaintiff at the address that he provided; however, it was returned to the Court as undeliverable which indicates that the Plaintiff has failed to comply with the requirements of this Court by failing to notify the Court of any change in address.